

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2040 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

DIVYAKANT G PANDYA

Versus

STATE OF GUJARAT

Appearance:

MR SR BRAHMBHATT for Petitioner

M/S MG DOSHIT & CO for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE R.K.ABICHANDANI

Date of decision: 23/08/96

ORAL JUDGEMENT

The matter is old and the office has submitted that it is unready for want of service on the petitioner, whose learned Advocate passed away long back. The notice had returned unserved with a remark that the petitioner had retired from service. The petition was filed for challenging the notice dated 30.11.1984 calling upon the petitioner to express his willingness to be demoted or to

face compulsory retirement. That notice was stayed by an interim order granted on 1.5.1986 in this petition, which was to operate upto 31.1.1987 being the date of the superannuation of the petitioner. By virtue of that interim order, the petitioner had served till the normal date of super-annuation 31.1.1987. The petition has therefore, become infructuous and is rejected as having become infructuous. Rule is discharged with no order as to costs. Liberty to move in case of difficulty.
